



## CITY OF ATLANTA


KASIM REED  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
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CHARLETTA WILSON JACKS  
DIRECTOR

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Charletta Wilson Jacks, Director 

**SUBJECT:** Z-14-29 Text Amendment – Bike Share Stations

**DATE:** December 4, 2014

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**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF ATLANTA BY CREATING A NEW SECTION IN PART 16 ZONING OF CHAPTER 28 “GENERAL AND SUPPLEMENTAL REGULATIONS” WHICH IS TO BE CODIFIED AS SEC. 16-28.029 “SELF SERVICE BICYCLE RENTAL FACILITIES”; AND FOR OTHER PURPOSES.**

#### **PROPOSAL:**

This ordinance creates a permit process for allowing bike share stations on private property. Bike share stations are part of a bicycle sharing system, or bike share, a service in which bicycles are made available for shared use to individuals on a short term basis.

This ordinance seeks to:

- Create a process for permitting the installation and usage of bike share stations.
- Allow bike share stations on private property as a permitted accessory use.
- Regulate bike share station appearance, signage and traffic safety of bike share stations on private property.

Bike share stations may be located in any zoning district except for R-1, R-2, R-3, R-3A, R-4, R-4A, R-4B R-5 or PD-H; provided however when any district, parcel or building is designated or is otherwise regulated by the Historic Preservation Ordinance, Urban Design Commission’s approval for the construction of the Station shall be required.

**CONCLUSIONS:**

(1) **Compatibility with comprehensive development plan (CDP); timing of development:**

The proposed legislation to amend the City of Atlanta Zoning Ordinance would neither change the current land uses of properties within the City nor affect the timing of development for proposed projects.

(2) **Availability of and effect of public facilities and services; referral to other agencies:**

This legislation does not propose to rezone any property. Therefore, Staff notes that it is not applicable in regard to the proposed legislation.

(3) **Availability of other land suitable for proposed use; effect on balance of land uses with regard to the public:**

Staff notes that land suitability is not applicable in regard to the proposed legislation as it would have no adverse affect on the balance of land uses within the City. Furthermore, Staff is of the opinion that the proposed legislation to amend the City of Atlanta Zoning Ordinance is negligible environmentally because of the limited scope of the proposed regulations regarding bike share stations. Bike share stations, however, will increase opportunities to bicycle rather than driving, which has a marginal environmental benefit in terms of air and water quality and noise pollution.

(4) **Effect on character of the neighborhood:**

Staff is of the opinion that the proposed legislation to amend the City of Atlanta Zoning Ordinance would have a positive effect on the character of the City's neighborhoods by permitting bicycle share stations. Bike share stations are part of a short-term bicycle rental system.

(5) **Suitability of proposed land use:**

The proposed text amendments to the City of Atlanta Zoning Ordinance will not change the underlying zoning or land use of any property and thus Staff notes that it is not applicable.

(6) **Effect on adjacent property:**

Staff is of the opinion that the proposed legislation will not affect adjacent properties. Bike share stations are relatively small, quiet, and the permitting process ensures they will be placed in suitable locations.

(7) **Economic use of current zoning:**

The underlying zoning will not be directly impacted by amending the City of Atlanta Zoning Ordinance. Bike share stations will be permitted as an accessory use except for one and two-family districts.

(8) **Compatibility with policies related to tree preservation:**

All future development within the City requiring a building permit will have to comply with the provisions of the tree preservation ordinance. The proposed legislation will not affect these requirements except that the evergreen screening requirement will assist in meeting any recompense necessary.

**STAFF RECOMMENDATION: APPROVAL**




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CHARLETTA WILSON JACKS  
DIRECTOR  
Office of Planning

**MEMORANDUM**

**TO:** Zoning Review Board  
**FROM:** Charletta Wilson Jacks, Director   
**SUBJECT:** Z-14-62 for 3713-3717 Peachtree Road, N.E.  
**DATE:** December 4, 2014

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The applicant requests to rezone property from the **RG-2 (Residential General-Sector 2)** district to **the RG-3 (Residential General-Sector 3)** district for the development of seventeen (17) townhomes.

The applicant has requested a 60 day deferral to allow time to revise the site plan and continue discussing the proposal with the impacted neighborhood. Staff is supportive of the deferral request.

**STAFF RECOMMENDATION: 60-DAY DEFERRAL-FEBRUARY 2015**



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KASIM REED  
MAYOR

CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Charletta Wilson Jacks, Director 

**SUBJECT:** Z-14-64 for 605 Darlington Road, N.E. (aka 2811 Piedmont Road)

**DATE:** December 4, 2014

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An Ordinance by Zoning Committee to rezone from the R-4 (Single Family Residential) District to the R-LC (Residential Limited Commercial) District.

#### FINDINGS OF FACT:

- property location: The subject property fronts approximately 70 feet on the south side of Darlington Road and approximately 129 feet on the easterly side of Piedmont Road at the intersection of Darlington Road and Piedmont Road. The property is located in Land Lot 47 of the 17<sup>th</sup> District, Fulton County, Georgia in NPU-B Council District 7.
- property size and physical features: The subject property consists of 0.34 acres and is currently developed with a one story residential structure. Access to the property is provided via a driveway located off Darlington Road. The front yard contains a parking pad that is capable of accommodating 4 vehicles. The side yard is surrounded by a wooden fence that is approximately 6 feet in height. There are several trees that traverse the rear property line.
- CDP land use map designation: Single Family Residential.
- Current/past use of property: The site is currently developed with a residential structure. Staff is unaware of any previous uses.
- Surrounding zoning/land uses: The subject property is surrounded by properties with a variety of zoning categories to include: R-4 (Single Family Residential) to the north and east, C-1 (Community Business) to the south, and O-I-C (Office Institutional Conditional) to the west.
- Transportation system: Piedmont Road is an arterial road that is serviced by MARTA.

## **PROPOSAL:**

The applicant's intent is to rezone the subject property from R-4 to R-LC in order to operate a commercial use on the subject site.

## **CONCLUSIONS:**

(1) **Compatibility with comprehensive development plan (CDP); timing of development:**

The proposed rezoning for 605 Darlington Road is not compatible with the 2011 Comprehensive Development Plan and will require an application to amend the land use designation from Single Family Residential to Low Density Commercial. However, Staff is not supportive of an amendment to the CDP as a change would not be compatible to the surrounding areas as parcels immediately adjacent to the subject property is designated as Single Family Residential. Therefore, Staff is of the opinion that a change in the land use to Low Density Commercial will compromise the intent of the Comprehensive Development Plan.

(2) **Availability of and effect of public facilities and services; referral to other agencies:**

Since the area has been an established mixed use (residential and commercial) corridor, water and sewage facilities serving the property are assumed to be adequate. However, the capacity of the sewer system to accommodate the proposed development would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. At the time, tie-in to specific sewer lines would be determined, as well as any necessary improvements to that part of the sewer line that would lie within boundaries of the development site. Additionally, Staff has not received comments from other reviewing agencies regarding this proposal.

(3) **Availability of other land suitable for proposed use; environmental effect on balance of land uses:**

There are many properties along the major corridor of Piedmont Road which are zoned to allow for commercial uses. The proposed change of zoning would impose a commercial use on a residential neighborhood. Furthermore, Darlington Road serves as major access points for the single family residences nearby. Therefore, the placement of a commercial use would not provide a positive transition into the established single family neighborhood.

(4) **Effect on character of the neighborhood: Effect on character of the neighborhood:**

The subject property is located at the beginning of the Peachtree Park neighborhood which is comprised of Single Family residences. The proposed rezoning to R-LC would introduce a commercial use into an established single family neighborhood. Although the applicant has proposed to make improvements to the site for the purposes of providing commercial services, this proposal to allow for a commercial use would not provide a seamless transition into a single family neighborhood, Peachtree Park. Instead, the approval of this request would remove the established residential zoning at the gateway of this established neighborhood.

- (5) **Suitability of proposed land use:** Staff is of the opinion that the proposed request to rezone to R-LC would not be compatible with the surrounding zoning and land uses. The subject property, while adjacent to a commercial use on Piedmont Avenue, is also the entry into an established residential neighborhood.
- (6) **Effect on adjacent property:** The rezoning of this property to a zoning district with certain allowable uses would remove the residential zoning that sets the entry way for the Peachtree Park neighborhood and could potentially begin the introduction of commercial uses further into the neighborhood.
- (7) **Economic use of current zoning:** Although a change of zoning to RLC could potentially increase the economic use of the property, the property as currently zoned allows for economic use as a residential property.
- (8) **Tree Preservation:** It is noted that additional trees or recompense may be necessary to comply with the City of Atlanta Tree Ordinance. However, the applicant has confirmed that all policies related to tree preservation will be met.

**STAFF RECOMMENDATION: DENIAL**



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CHARLETTA WILSON JACKS  
DIRECTOR  
Office of Planning

**MEMORANDUM**

**TO:** Zoning Review Board

**FROM:** Charletta Wilson Jacks, Director

**SUBJECT:** Z-14-65 for 695 North Ave., 670 Dallas St., 365 Angier Ave., Parcels 14 00180002013, 14 00180002003, 14 00180002004, and 14 00180002005

**DATE:** December 4, 2014

An Ordinance to rezone from the PD-MU/LBS/BL (Planned Development-Mixed Use/Landmark Building/BeltLine Overlay) district and the I-1/BL (Light Industrial/Beltline Overlay) district to the MRC-3/LBS/BL (Multi Residential Commercial-Sector 3/Landmark Building/Beltline Overlay) district for the development of a maximum of 238 apartment units, an additional 6,148 square feet of nonresidential uses with associated parking.

**FINDINGS OF FACT:**

- property location: The subject property fronts approximately 244 feet on the south side of North Avenue at the southeast intersection of North Avenue and North Angier Avenue in the Old Fourth Ward neighborhood of NPU-M, Council District 2. The site also has approximately 592 feet of frontage on North Angier Avenue and is adjacent to the Atlanta BeltLine on the east. Historic Fourth Ward Park is on the west across North Angier Avenue.
- property size and physical features: The subject property consists of 3.3 acres and is developed with the Dupre Excelsior Mill, a landmark building fronting on North Avenue, adjacent south of the Mill are a small metal out building and a concrete block building accessed from North Angier Avenue. The topography is relatively level throughout the site and the Atlanta BeltLine sits above the site along its eastern edge.
- CDP land use map designation: The subject property is designated as Mixed Use land use.
- current/past use of property: To Staff's knowledge the property has always been used for nonresidential purposes.
- surrounding zoning/land uses: Ponce City Market, zoned MRC-3-C/BL is north across North Avenue; south and adjacent to the site I-1/BL and I-2/BL zoned property is found. As noted above the Atlanta BeltLine is adjacent on the east and zoned I-1/BL; and west across North Angier Avenue MRC-3-C/BL zoned property is found.

- **transportation system:** At this location North Avenue is classified as an arterial and Glen Iris west of the site is designated as a collector. All other streets in the area are local streets. Several MARTA bus routes serve the local area along Ponce de Leon Avenue one block north of the site and provide access to the Decatur, Edgewood/Candler Park and North Avenue Transit Stations. Sidewalks are found throughout the area.

## PROPOSAL

The applicant proposes to rezone the property to enable the development of an additional 6,148 square feet of commercial space and 221 residential units which depending on unit configuration would not exceed a total of 238 residential units. The Dupre Excelsior Mill contains 32,000 square feet for a total of 38,148 square feet of non-residential space. The residential units would be five stories over commercial uses fronting on North Angier Avenue that would engage Historic Fourth Ward Park.

The Dupre Excelsior Mill building will remain and retain its Landmark Building status. At this time there are no plans to make any changes to the landmark building and all conditions imposed by Ordinance 06-O-1074 will remain in full force and effect.

The residential development would have access from North Angier Avenue and access to Dupre Excelsior Mill will remain from North Avenue.

<b>FAR</b>	<b><u>Permitted</u></b>	<b><u>Proposed</u></b>	
Residential	3.2	1.63	Net lot area
Non-residential	4.0	0.27	Net lot area
Useable Open Space	Required 0.45	Proposed 0.47	Net lot area
Parking	Required		
Residential	1 space per unit per BeltLine Overlay	238 (1 space per unit)	
Non-residential	Based on Use		
Bicycle*	1 space per 5 dwelling units	$238/5=48$ spaces	
Moped*	1 space per 4,000SF of nonresidential SF	$38,148/4,000=10$ spaces	

\*spaces will be along North Angier Avenue and inside the parking deck

The proposed number of parking spaces in the podium parking deck is 365 spaces (238 for residential; 127 for nonresidential). The required number of parking spaces for any nonresidential uses will be based upon the use and therefore there may or may not be a need for a special exception to reduce the required parking. This issue will be determined at the time nonresidential space is leased.

Additional details of the site plan will be covered during the Special Administrative Permit process.

## CONCLUSIONS:

### **(1) Compatibility with comprehensive development plan (CDP); timing of development:**

The comprehensive development plan identifies the subject site as Mixed Use therefore no amendment to the 15-year land use map would be required to facilitate this proposal as the requested zoning district of MRC-3/LBS/BL is compatible with the Mixed Use designation.

There are no public projects or programs with which the timing of the project would conflict.



**(2) Availability of and effect of public facilities and services; referral to other agencies:**

Since the area has been a long established neighborhood, water and sewage facilities serving the property are assumed to be adequate for the proposed development.

The capacity of the sewer system to accommodate the proposed development would be reviewed by the Department of Watershed Management after the developer would apply for a building permit. During this review, tie-in to specific sewer lines would be determined, as well as any necessary improvements to the sewer line that would lie within boundaries of the development site.

There has been no indication from review agencies and departments that there would not be adequate public facilities and services at the subject location.

**(3) Availability of other land suitable for proposed use; environmental effect on balance of**

**land uses:** The zoning regulations indicate that this consideration is optional. There are limited sites available for this type of infill development in this area of the City. The area is developed with a mix of residential and nonresidential uses and the proposed mixed use project should not negatively impact the balance of land uses in the area.

**(4) Effect on character of the neighborhood:** The development as proposed should not have a negative effect of the character of the neighborhood. The subject property is within an area of the City that is undergoing significant redevelopment and the proposal will offer additional housing options as well as additional nonresidential options for the neighborhood.

**(5) Suitability of proposed land use:** No change in land use is required.

**(6) Effect on adjacent property:** The construction of a mixed use project at this site should have a positive effect on adjacent property by providing the area with new housing and nonresidential opportunities.

**(7) Economic use of current zoning:** Although the existing zoning has some economic use the proposed use would be a better use of the land and complement other developments in the area.

**(8) Tree Preservation:** The City of Atlanta's Tree Ordinance will govern the development of the site in regards to tree preservation.

**STAFF RECOMMENDATION: APPROVAL** condition upon the following:

1. A site plan similar to one dated 11/13/14 entitled "Zoning Site Plan Masquerade Development" by Paradigm Engineering Services, Inc. marked received by the Office of Planning November 20, 2014.



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KASIM REED  
MAYOR

CHARLETTA WILSON JACKS  
Director  
Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Charletta Wilson Jacks, Director 

**SUBJECT:** Z-14-66 for 490 Bishop Street, N.W.

**DATE:** December 4, 2014

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An Ordinance to rezone from the I-2 (Heavy Industrial) District to the MR-5A (Multi-family Residential) District, property located on a portion of 490 Bishop Street, N.W. and a portion of 1299 Northside Drive, N.W.

The applicant needs additional time to provide Staff with amended documentation.

**STAFF RECOMMENDATION:** 30-DAY DEFERRAL-JANUARY 2015.



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CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Charletta Wilson Jacks, Director 

**SUBJECT:** Z-14-37 for 690 AND 658 Lindbergh Drive, N.E.

**DATE:** December 4, 2014

An Ordinance to rezone from the SPI 15, Subarea 8 to the SPI 15 Subarea 3, property located at 690 AND 658 LINDBERGH DRIVE, N.E.

### FINDINGS OF FACT:

- property location: The property fronts approximately 511 feet on the north side of Lindbergh Circle at the northwest intersection of Morosgo Drive and Lindbergh Circle, and is located in the Lindbergh/Morosgo neighborhood of NPU-B, Council district 7
- property size and physical features: The subject property consists of a total of approximately 7.839 acres. The various tracts that make up this site have frontage on 4 different streets: Morosgo Drive, Morosgo Place, Morosgo Way, and Lindbergh Circle. The entire site varies in topography, but has an overall decline of at least 20 feet from Morosgo Drive to Lindbergh Drive. There are multiple clusters of 2-story multi-family residential buildings on each tract.
- CDP land use map designation: High-density Residential
- current/past use of property: With the exception of one tract, the land has been and is currently being used for multi-family residential.

- surrounding zoning/land uses: The surrounding properties consist of a mixture of uses including commercial and residential to the north, commercial to the west, and residential to the east and south.
- transportation system: The site is a few hundred feet away from a major Marta rail/bus station hub.

## **PROPOSAL**

The applicant proposes to redevelop an 8.71 acre site in order to construct a development with a mixture of uses consisting of a 179-unit multi-family building, and a 82,000 sq. ft. grocery store. A parking deck will also be constructed to be shared by all proposed uses. The redevelopment of the site with the proposed uses would require rezoning to a subarea within SPI-15 that allows for commercial uses. The multi-family building is proposed to be a senior living facility.

## **CONCLUSIONS:**

### **(1) Compatibility with comprehensive development plan (CDP); timing of development:**

The existing land use is High Density Residential, which is not compatible with the proposed commercial use. Consequently, an amendment to the current land use designation is required. An application for a compatible land use change has been filed by the applicant.

### **(2) Availability of and effect of public facilities and services; referral to other agencies:**

There appears to be adequate public facilities and service provisions for the proposed project in light of the existing dense multi-family development that already exists in the near vicinity. Additionally, there are numerous commercial developments currently located along the Piedmont Corridor, which is adjacent to the subject property.

### **(3) Availability of other land suitable for proposed use; environmental effect on balance of land uses:**

While there may exist other areas in close proximity to the Lindbergh Marta station which could accommodate development for a mixture of uses, Staff has no indication that these areas would accommodate the required square footage proposed in the subject property. Additionally, Staff is not aware of the applicant's control of these properties. Staff is therefore of the opinion that the proposed project is compatible with the surrounding area due to the similarity in use and that this project would not have a negative environmental effect on the balance of land uses. The project would instead provide a much needed commercial use in an area that is continuing to increase in residential density.

### **(4) Effect on character of the neighborhood:**

The subject parcels are included in the 2000 Lindbergh Transportation Area Development Study (TSADS). The purpose of the study was to develop a concept plan and action program to promote the development of a transit oriented neighborhood around the Lindbergh MARTA transit station. The plan encourages mixed use and diverse communities around the Lindbergh Transit Station to maximize transit ridership in order to remedy the area's auto-oriented form of development. The Lindbergh TSADS plan recommends residential uses between Piedmont Road and I-85. Although this rezoning would reduce an opportunity for a wholly residential project at the site in the future,

there is already an abundance of existing residential development, and several developments are currently under construction. These conditions indicate that the spirit of the TSADS plan is already being executed, but Staff recognizes that this has also increased the demand for some additional accessible commercial uses in the area such as a grocery store. The provision of a grocery store in this location would provide these existing residential developments and those that will eventually come on board in the near future, a closer option, with a significantly reduced travel time. Additionally the siting of a grocery store at this location could possibly help to relieve some of the traffic congestion along Lindbergh Drive and Piedmont Road, which are used to access other grocery stores in the area. There is also the opportunity for those who in the commercial and office establishments along this section of Piedmont Road to utilize the facility before travelling back home at the end of the day. The close proximity to the Lindbergh Marta Station provides convenience to those who rely on Marta for transportation, or for those who just prefer to save gas.

- (5) **Suitability of proposed land use:** The existing land use is High Density Residential, which is not compatible with the proposed commercial use. Consequently, an amendment to the current land use designation is required. An application for a compatible land use change has been filed by the applicant. The proposed commercial development is suitable for the proposed tract of land, which is and which will be surrounded by residential development. The use is supported by the CDP and the TSADS.
- (6) **Effect on adjacent property:** This rezoning for the proposed uses would potentially provide a positive effect on adjacent properties with the provision of more options that provide a convenient and easily accessible commercial use that will serve the basic needs of the large population of existing and future residential development.
- (7) **Economic use of current zoning:** The existing zoning has economic use. However should this rezoning request be approved, Staff anticipates that the economic use of the subject property will be enhanced.
- (8) **Tree Preservation:** The applicant proposes to fully comply with tree preservation ordinance, and the City Arborist will ensure adherence to the code.

**STAFF RECOMMENDATION: APPROVAL, conditioned on the following:**

1. Site plan similar to the one stamped received by the Office of Planning on 12-2-2014. This site plan is not meant to prohibit the application of the district regulations.



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M. KASIM REED  
MAYOR

CHARLETTA JACKS  
Director, Bureau of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Charletta Wilson Jacks, Director 

**SUBJECT:** Z-14-41 for 1791 Piedmont Road, N.E.

**DATE:** December 4, 2014

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An Ordinance to rezone from the **RG-2 (Residential General – Sector 2) / Beltline Overlay** District to the **MR-4A (Multifamily Residential) / Beltline Overlay** District, property located at 1763-1791 (aka 1797) Piedmont Road N.E.

Staff determined because there is an associated case (U-14-031) for the subject site also scheduled for the December 11<sup>th</sup> ZRB hearing it would be best served to handle both of these cases on the same date.

**STAFF RECOMMENDATION: DEFERRAL TO THE DECEMBER 11<sup>TH</sup> PUBLIC HEARING.**



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KASIM REED  
MAYOR

CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Charletta Wilson Jacks, Director 

**SUBJECT:** Z-14-42 for 3537, 3541, 3545, 3549, 3555 Roxboro Road NE

**DATE:** December 4, 2014

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The applicant seeks a rezoning of the property, from **R-3** to **MR-3**, in view of a new development composed of 21-unit townhouses for the property located at **3537, 3541, 3545, 3549, 3555 Roxboro Road NE**

In order to allow the applicant for additional time to revise the proposed site plan, at the request of the applicant, Staff has recommended a 30 days deferral, before disposition on the rezoning request.

**STAFF RECOMMENDATION: 30 DAY DEFERRAL – JANUARY, 2015**



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M. Kasim Reed  
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CHARLETTA WILSON JACKS  
Director, Bureau of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Charletta Wilson Jacks, Director 

**SUBJECT:** **Z-14-55 for 1518 Monroe Drive and 1529 Piedmont Avenue, NE**

**DATE:** December 4, 2014 (*deferred from November 6, 2014*)

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The applicant seeks to rezone the subject properties from the **C-1 (Community Business)**, **I-2 (Heavy Industrial)** districts for the 1529 Piedmont Avenue parcel and **R-LC-C (Residential Limited Commercial)** district for the 1518 Monroe Drive parcel to the **MRC-1 (Mixed Residential Commercial)** district to construct additional retail, restaurant and office space. **The Beltline Overlay zoning district** would remain in place and unchanged on the properties.

#### FINDINGS OF FACT:

- Property location: The subject properties are located near the southeast intersection of Piedmont Avenue at Monroe Drive and have 134.80 feet of frontage along Piedmont Avenue and 60 feet of frontage on Monroe Drive. They are located in the Morningside/Lenox Park Neighborhood of NPU-F, Council District 6 and in land lots 55 and 56 of the 17<sup>th</sup> District, Fulton County, Georgia.
- Property size and physical features: The combined parcels equal approximately 128,294 square feet (or 2.95 acres). The Piedmont parcel is 119,294 square feet and the Monroe parcel is 9,000 square feet. The Piedmont parcel is developed with two commercial buildings and a surface parking lot, the Monroe parcel is developed with a single-family residential structure that was converted to office use and has a surface parking lot in the rear. The topography slopes downward from Piedmont Avenue. The Monroe property also slopes downward to the rear from Monroe Drive.
- CDP land use map designation: The current land use designations are is Mixed Use - Low Density (MU-LD) for the 1529 Piedmont Avenue parcel and Single-family Residential (SFR) for the 1518 Monroe Drive parcel. A CDP land use designation is required for the Monroe Drive parcel to change the zoning to Mixed Residential Commercial (MRC-1).



- Current/past use of property: The 1529 Piedmont Avenue parcel has been used as a commercial shopping center for over 20 years and includes a mixture of office uses, nail salon, pharmacy and several eating and drinking establishments. The 1518 Monroe parcel was originally constructed as a single-family residence but was converted several years ago to its current use as a law office.
- Surrounding zoning/land uses: Surrounding zoning and land uses include Ansley Mall across Piedmont Avenue zoned C-1 (Community Business district), a gas station and restaurant adjacent to the property and located at the street corner and zoned C-1, single-family residential uses across Monroe zoned R-4 (Commercial), and Piedmont Park and Clear Creek abutting the subject properties to the south and west and which are also zoned single-family R-4.
- Transportation: Piedmont Avenue is classified as an arterial street and Monroe Drive as a collector street. MARTA bus service runs nearby along Piedmont Avenue and Monroe Drive (north of Piedmont Avenue) connecting to both the Lindbergh and Midtown MARTA stations. Access to Interstates I-85 is within a 5-10 minute drive of the subject properties.

## PROPOSAL:

The proposed legislation would rezone the subject properties to MRC-1 (Mixed Residential Commercial) to allow additional retail, office and eating and drinking establishments as follows:

- 1529 Piedmont Avenue parcel: An 8,000 square feet expansion of the rear basement level of the existing building. The expansion would be at-grade with the adjacent Piedmont Park (Piedmont Commons).
- 1518 Monroe Drive parcel: Demolition of the existing building to construct a 3-4-story building with approximately 21,000 square feet, subject to both a lot consolidation with the 1529 Piedmont Avenue parcel and approval of a variance by the Board of Zoning Adjustment to reduce the transitional yard requirement.

## CONCLUSIONS:

- 1) Compatibility with comprehensive development plan (CDP); timing of development: The proposed rezoning to MRC-1 (Mixed Residential Commercial) would require only a CDP land use change for the 1518 Monroe Drive parcel. The 1529 Piedmont Avenue parcel has a Mixed Use – Low Density (MU-LD) designation and no land use change is required. The change in land use would be consistent with the adopted Beltline Subarea #6 Masterplan which recommends Mixed-Use and buildings between one to four stories in height.
- 2) Availability of and effect on public facilities and services; referrals to other agencies: The subject properties are currently served by public facilities and services.
- 3) Availability of other appropriate land zoned for proposed use; effect on balance of land uses with regard to the public need: The applicant does not own other properties in the immediate area and the subject properties currently have commercial uses. Rezoning the properties to an MRC district would maintain the commercial uses at the same intensity while allowing for residential uses which are currently not permitted in the I-2 zoning district. The proposed rezoning would allow for mixed-uses consistent with the Beltline Subarea #6 Master Plan recommendations and NPU-F policies for development along major corridors.

- 4) **Effect on character of the neighborhood:** The rezoning would benefit the area by supporting the commercial uses serving the neighborhood. The portion of the 1529 Piedmont parcel that is zoned I-2 (Heavy Industrial) is not compatible with the adjacent commercial and residential uses and the abutting Piedmont Park. The Monroe parcel with a current zoning of R-LC has commercial uses which are compatible with the proposed rezoning. The two parcels are part of one development and the rezoning would provide one uniform zoning designation which is consistent with the adjacent commercial uses and more compatible with the residential uses than a heavy industrial zoning designation.
- 5) **Suitability of proposed land use:** The proposed land use is consistent with the existing commercial land uses on the subject properties and other commercial land uses in the area.
- 6) **Effect on adjacent property:** The rezoning of the parcels would benefit the area by supporting the commercial uses at the Piedmont Avenue and Monroe Drive intersection. The subject properties currently have commercial uses and the change in zoning would not increase the intensity of these commercial uses. The downzoning from I-2 (heavy industrial) for a majority of the site would have a positive effect on adjacent properties.
- 7) **Economic use of current zoning:** The properties are currently being used for commercial uses, however, the proposed zoning change would maintain such uses and enable additional development to enhance the properties.
- 8) **Compatibility with policies related to tree preservation:** Proposed building expansion and new construction must comply with the tree ordinance requirements at time of permitting.
- 9) **Other considerations:**
  - The Character Area for these properties is “Intown Corridor” which promotes and encourages mixed use (residential, retail and office uses) development with a pedestrian-friendly urban form.
  - Consistency with NPU – F policies to encourage development along major corridors such as Piedmont Avenue and Monroe Drive that is pedestrian-oriented and provides neighborhood services.

**STAFF RECOMMENDATION: APPROVAL with the following conditions:**

1. The following uses are prohibited:
  - a. Automobile service stations, car washes and retail sales of gasoline
  - b. Mixed-use storage facilities
  - c. Repair garages, paint and body shops
2. The Conceptual Site Plan dated October 8, 2014 and stamped received by the Office of Planning on November 25, 2014. This site plan is conceptual and is not meant to restrict the overall development of the site in accordance with the district regulations.



## CITY OF ATLANTA

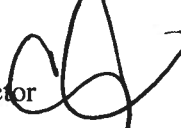
M. Kasim Reed  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
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CHARLETTA WILSON JACKS  
Director, Bureau of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Charletta Wilson Jacks, Director 

**SUBJECT:** U-14-15 for 1165 Arlington Avenue, SW

**DATE:** December 4, 2014  
*(deferred from August 14<sup>th</sup>, September 8<sup>th</sup>, October 27<sup>th</sup> and November 6<sup>th</sup>)*

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An Ordinance by Zoning Committee granting a Special Use Permit for a Personal Care Home (rehabilitation center for children ages 12 – 18 years of age, pursuant to Section 16-06A.005 (1) (g) for property located at **1165 ARLINGTON AVENUE, S.W.**

The subject property is located in the Oakland City Historic District and NPU-S. The application was deferred four (4) times to allow the applicant to submit a *Review and Comment* application to the Atlanta Urban Design Commission (AUDC) and to meet with the NPU to discuss neighborhood concerns. The applicant has not submitted an application for AUDC review nor has met with the NPU.

**STAFF RECOMMENDATION: FILE**



## CITY OF ATLANTA


KASIM REED  
MAYOR

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
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CHARLETTA WILSON JACKS  
Director  
Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Charletta Wilson Jacks, Director 

**SUBJECT:** Z-14-47 for 2573 (aka 2531) Lenox Road, N.E.

**DATE:** December 4, 2014 (November 6, 2014 )

**An Ordinance to rezone from the O-1 (Office Institutional) to the C-1 (Light Commercial) District for property located at 2573 (aka 2531) Lenox Road, N.E.**

The applicant has requested additional time to have discussions with the neighborhood and acquire additional materials.

**STAFF RECOMMENDATION:** 30 DAY DEFERRAL-JANUARY 2015



## CITY OF ATLANTA


M. KASIM REED  
MAYOR

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CHARLETTA WILSON JACKS  
Director, Office of Planning

### MEMORANDUM

**TO:** Zoning Review Board

**FROM:** Charletta Wilson Jacks, Director 

**SUBJECT:** Z-14-60 for 514, 516, 520 and 526 East Paces Ferry Road, N.E. and 3081 and 3075 Maple Dr., N.E.

**DATE:** December 4, 2014

An ordinance by zoning committee to rezone from the SPI-9 (Special Public Interest District -Subarea 3) to the SPI-9 (Special Public Interest District -Subarea 3) for a change of conditions, property located at 514, 516, 520 and 526 East Paces Ferry Road, N.E. and 3081 and 3075 Maple Dr., N.E.

#### FINDINGS OF FACT:

- **Property Location:** The subject property includes six (6) parcels at the northeast intersection of Maple Drive and East Paces Ferry Road including approximately 262' feet of frontage along the east side of Maple Drive and approximately 320' feet of frontage along the north side of East Paces Ferry Road. The property is located in Land Lot 61 the 17<sup>th</sup> District of Fulton County, Georgia in the Buckhead Village neighborhood of NPU-B.
- **Property Size and Physical Features:** The subject property consists of 83,690 square feet (1.92 acres) of lot area and is currently developed with eight (8) primary structures ranging from one (1) to three (3) stories in height. Accessory parking lots are spread between the buildings and are accessible from a number of curbcuts along both Maple Drive and East Paces Ferry Road. Although there is limited landscaping a number of mature trees are scattered on the site within the small lawns and parking areas. Also, the property has little topography with only slight grade changes across the site.
- **CDP Land Use Map Designation:** The current land use category is for the site is consistently Low-Density Commercial. The proposed change of conditions for the SPI-9, Subarea 3 zoning classification is still an appropriate land use category under this CDP designation.
- **Current/Past Use of Property:** The property is currently developed with eight (8) primary structures which appear to have previously been residential structures but currently house a variety of both residential and commercial uses including offices, retail and personal services- although some of these business now appear to have been shuttered.
- **Surrounding Zoning/Land Uses:** The subject site and surrounding parcels are zoned SPI-9, Subarea 3 with a Low-Density Commercial land use designation. SPI-9, Subarea 4 lies slightly to the east along

Piedmont Road and shares the Low-Density Commercial land use designation. Uses in the area are characterized with both residential and commercial uses including restaurants, offices, hotels, retail, personal services, studios and auto sales, among others.

- **Transportation System:** Both East Paces Ferry Road and Maple Drive are classified as local streets. However, nearby Piedmont Road is located 440' feet to the east is a state route known as GA-237 classified as an arterial street. MARTA bus #5 follows along Piedmont Road connecting the Lindbergh MARTA station to Roswell Road. Also, nearby Pharr Road is located 560' feet to the south and is classified as a collector street. Sidewalks are consistently provided along both sides of East Paces Ferry Road and Maple Drive but often are intersected by curbcuts.

## **PROPOSAL:**

The applicant requests to rezone from the SPI-9 (Special Public Interest District -Subarea 3) to the SPI-9 (Special Public Interest District -Subarea 3) for a change of conditions. Specifically, in the fall of 2006 conditions were placed on the site per Z-06-61(06-O-1071) including a specific site plan which is now outdated. Also, this site includes FAR allowances on portions of the site (including 0.848 and 2.696) shown on a SPI-9 map based on previously allowed FARs. This proposal seeks to both delete the previous zoning conditions and blend the disparate FAR allocations across the full proposed site for the purposes of a new 378,613 square foot 13 story mixed use development including 375,613 square feet (327 units) of residential uses and ~3,000 square feet of ground floor retail with a 660 space accessory parking deck.

### **Development Specifications:**

Net Lot Area:	1.921 acres (83,690 s.f.)
Gross Lot Area:	2.349 acres (102,328 s.f.)
Total F.A.R. Allowed (base & bonus):	2.20 (by combining split 0.848/ 2.696)/ up to 5.0 with bonus(es)
Residential F.A.R. Proposed:	3.70 (375,613 s.f. (achieved by SPI-9 bonuses).
Non-residential F.A.R. Proposed:	0.25 (3,000 s.f.)
Building Height Max Allowed:	150' feet
Building Height Proposed:	148' feet
Useable Open Space Required:	20,923 sf (25% x NLA)
Useable Open Space Proposed:	21,555 sf
Setbacks Required:	Street Facing: 20' from street curbing Side/Rear: (other than Transitional): 0'
Setbacks Proposed:	Street Facing: ~20' from street curbing. Side/Rear: 20'
Parking Minimum/Maximums:	495-660 spaces
Parking Proposed:	660 spaces
Loading Required:	3 - 12' x 35'spaces
Loading Proposed:	2 - 12' x 35' <i>spaces*</i>

*\*Italics indicates possible non-conformity*

## **CONCLUSIONS:**

### **(1) Compatibility with comprehensive development plan (CDP); timing of development:**

Since the proposed development and change of conditions is consistent with the existing low density commercial land use designation, no CDP land use changes are proposed. There are no known public projects or programs with which the timing of the project would conflict. Therefore, Staff notes that it is not applicable.

**(2) Availability of and effect of public facilities and services; referral to other agencies:**

The location of the site and surrounding uses indicate there are public facilities and services available to the subject property. Furthermore, there has been no indication from review agencies and departments that there would not be adequate public facilities and services at the subject location.

**(3) Availability of other land suitable for proposed use; environmental effect on balance of**

**land uses:** The zoning regulations indicate that this consideration is optional. In this case, although there appears to be land located in proximity to the site that would support the proposed mixed use predominately multi-family residential use, Staff is of the opinion that this proposal to change of conditions and make FAR changes is reasonable in that would not change the balance of land uses in the area.

**(4) Effect on character of the neighborhood:** In that only a change of conditions are being proposed this is not fully applicable. However, Staff finds that the proposed mixed use predominately multi-family residential building provides more opportunities for retail and residential uses. This is consistent with the intent of the SPI-9 district for new development at a cohesive scale and character contributing to the Buckhead Village neighborhood revitalization. The scale of the building as a mid-rise mixed use building is not expected to have a negative effect because the site is located in the midst of similar sized buildings in the area. Therefore, Staff is of the opinion that the approval of the applicant's request would not have an adverse effect on the character of the neighborhood.

**(5) Suitability of proposed land use:** There would be no change in land use necessary and the proposed uses including residential and retail are allowed in the SPI-9, Subarea 3. Therefore, Staff notes that it is not applicable in regard to the proposed legislation.

**(6) Effect on adjacent property:** In that only a change of conditions are being proposed this is not fully applicable. Although Staff notes that the proposal is larger in scale than adjacent buildings it would not be expected to negatively impact adjacent properties in that buffers and screening requirements appear to be met for the both the building and its parking structure. Further, upon development the proposed building meets applicable height requirements and traffic management would improve in that the number of curbcuts would be consolidated from existing conditions.

**(7) Economic use of current zoning:** Although only a change of conditions are being proposed these considerations are not applicable. Regardless, Staff is of the opinion that the proposed deletion of conditions and blending of densities would not negatively impact economic use. In fact, consolidation of these parcels and uniform redevelopment would be expected to increase the economic value of the property.

**(8) Tree Preservation:** It is the applicant's stated intent to comply with the City of Atlanta Tree Ordinance.

**(9) Other Considerations:** Staff feels the deletion of conditions and blending of previously allocated densities is reasonable in that they are consistent with the intent of the SPI-9 district for new development at a scale and character contributing to the Buckhead Village neighborhood revitalization. Without it only non-uniform disparate development could occur. Separately and procedurally if this Z-14-060 were approved an update of the SPI-9 'Map Attachment' is necessary to update the max(imum) floor area ratios (FARs), as cross referenced in the table found in Sec. 16-18I.012.

**STAFF RECOMMENDATION: APPROVAL**